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Filed : December 19, 2005

REMARKS

Claims 1-3, 6 and 7-9 have been amended. Support for the amendments in Claims 1 and 7 can be found in paragraphs 017, 0018, 0032, 0042, and Fig. 1, for example. Claims 2-3, 6, and 8-9 have been amended for clarifying the claim language.

No new matter has been added. Applicant respectfully requests entry of the amendments and reconsideration of the present application in view of the amendments and the following remarks.

Claim rejections under 35 U.S.C. § 112

Claims 1-13 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office action states that the terms, “high elastic non-woven body”, “polyester type low melting point fibers”, and “regular polyester fibers” are indefinite or unclear. The terms “high”, “type” and “regular” have been deleted, thereby obviating the rejections.

The Office action further states: “[r]egarding claim 6, the claim appears to be missing a word between ‘thermoplastic resin sheet’ and ‘each other’”. Claim 6 has been amended to insert “to” in front of “each other” for clarification.

The Office action further states: “[t]here is insufficient antecedent basis for the limitation “high” in the claim”. The term “high” has been deleted, thereby obviating the rejection.

Applicant respectfully requests withdrawal of the rejections.

Claim rejections under 35 U.S.C. § 102

Claims 1, 6, 7 and 13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Masuda (US5677027).

Claim 1 has been amended and now recites:

1. A formed mat which is thermoformed so as to have a shape following an inside of a room of an automobile and is fitted so as to follow the inside of the room, the formed mat comprises:
 - a felt layer;
 - a thermoplastic resin sheet;

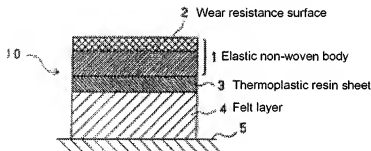
an elastic non-woven body which is 3.0mm or more in thickness, 300g/m² or more in weight per unit area, and less than 0.20g/cm³ in density; and

a wear resistance surface layer integrally formed on a surface of the elastic non-woven body;

wherein the elastic non-woven body is layered on the thermoplastic resin sheet so that the wear resistance surface layer directs to the inside of the room of the automobile, and

the felt layer is layered under the thermoplastic resin sheet.

Claim 1 now recites the lamination order of the four layers as shown below, for example.



In Masuda, neither a wear resistance surface layer nor a felt layer recited in Claim 1 is disclosed. Furthermore, the specific order of the layers recited in Claim 1 is not disclosed. In Masuda, the thermoplastic resin sheet (backing layer 18) layer is arranged on the interior side of the elastic non-woven body (16) which is opposite to the claimed invention.

Masuda does not disclose each and every element recited in Claim 1. Thus, at least for this reason, Claim 1 cannot be anticipated by Masuda.

Further, Masuda does not recognize the criticality of the recited structure, particularly, importance of the elastic non-woven body formed on the interior side of the thermoplastic resin sheet. Advantages of the claimed structure are described in the instant specification as follows:

In this configuration, due to the high elastic non-woven body which has a low density resulting in sufficient cavities inside thereof and a sufficient thickness, high sound absorption performance can be obtained. Further, due to the thermoplastic resin sheet which has non-permeability of air, sound isolation performance can be obtained. As a result, a formed mat superior, as a whole, in both sound absorption performance and sound isolation performance can be obtained. (*Specification*, page 3, paragraph 0008)

The elastic non-woven body has low density and many cavities therein (page 14, lines 9-12), and thus it functions as an excellent sound absorber. The thermoplastic resin sheet functions as a sound reflector and/or insulator. Since, in Masuda, the elastic non-woven body is formed under the thermoplastic resin sheet, interior sound would be reflected and/or insulated by the thermoplastic resin sheet. In the structure disclosed in Masuda, the non-woven body does not function as an interior-sound absorber. As a result, quiet interior of the automobile cannot be achieved as effective as the claimed invention.

Further, Masuda gives no indication of "a wear resistance surface layer integrally formed on a surface of the elastic non-woven body". Masuda disclose a tufted pile carpet as a surface layer which has a weight per unit of 580 g/m^2 , which is very different from the claimed wear resistance surface layer. Since the wear resistance surface layer of the claimed invention is integrally formed on a surface of the elastic non-woven body, the wear resistance surface layer does not interfere with absorbing the interior sound and provides dual functions of wear resistance and the interior sound absorption performance at the same time (*Specification*, page 12, lines 15-21). A person skilled in the art would not be able to recognize these significant effects due to the recited structure in view of Masuda.

At least for this reason, Claim 1 cannot be obvious over Masuda. Claim 6 depends from Claim 1, and thus cannot be anticipated by or obvious over Masuda.

With regard to Claim 7, Claim 7 has been amended and now recites:

7. A formed mat thermoformed in a shape configured to be fitted inside a room of an automobile, comprising:
 - a felt layer;
 - an elastic non-woven body for sound absorption having a thickness of 3.0 mm or more, a weight of 300 g/m^2 or more, and a density of less than 0.20 g/cm^3 ;
 - a wear resistance surface layer integrally formed on an upper surface of the elastic non-woven body; and
 - a thermoplastic resin sheet for sound isolation which is formed between the elastic non-woven body and the felt layer, said thermoplastic resin being thinner than the elastic non-woven body.

Claim 7 recites limitations similar to Claim 1. For the reasons discussed for Claim 1, Claim 7 also cannot be anticipated by or obvious over Masuda. Claim 13 depends from Claim 7,

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and at least for this reason, claim 13 also cannot be anticipated by or obvious over Masuda. The remaining reasons for rejection are moot.

Applicant respectfully requests withdrawal of the rejections.

Claim Rejections under 35 U.S.C. § 102/103

Claims 1-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by, or under 35 U.S.C. § 103(a) as being obvious over Koyama (US Pub. No. 2006/0013966).

Claim 1 has been amended and now recites as above. Koyama does not disclose the specific lamination order recited in Claim 1. Koyama discloses a mat having the layers of a breathable decorative layer (wear resistance surface layer), an unbreathable film (thermoplastic resin sheet), and a breathable material (elastic non-woven body) in this order (see Figs. 3 and 4). In contrast, the structure of Claim 1 recites a formed mat having (i) a wear resistance surface layer, (ii) an elastic non-woven body, (iii) a thermoplastic resin sheet, and (iv) a felt layer in this order. Importance of the layers in this specific sequence order is described in the instant specification (page 3, paragraph 0008) as discussed above.

With regard to “the wear resistance non-woven body integrally formed on the surface of the elastic non-woven body”, the Office action states: “Koyama does teach that the breathable decorative layer and the breathable multilayer material may be composed of the same or similar materials, with the exception that the decorative layer must have ornamental property and wear resistance (paragraphs 0029, 0039-0041).” Applicant respectfully disagrees.

The Koyama’s disclosure that the breathable decorative layer and the breathable multilayer material may be composed of the same or similar materials does not teach or suggest the structural limitation of “a wear resistance surface layer integrally formed on a surface of the elastic non-woven body” recited in Claim 1. Koyama disclosure is the material feature of the breathable decorative layer and the breathable multilayer material and is silent as to the structural feature recited in claim 1.

The Office action refers to the disclosure in paragraphs 0039-0041 in Koyama. These paragraphs do not teach or suggest a wear resistance surface layer integrally formed on a surface of the elastic non-woven body. The paragraphs are directed to the breathable material which is layered under the thermoplastic resin sheet. The paragraphs disclose that multilayer structure is

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integrally formed within the breathable material. Koyama does not teach or suggest a top surface layer integrally formed on an elastic non-woven body as recited. Further, there is no evidence provided showing that the breathable decorative layer can function as a wear resistance surface layer. Thus, Koyama cannot render the integrally-formed wear resistance surface layer recited in Claim 1 obvious.

At least for the above reasons, Claim 1 cannot be anticipated by or obvious over Koyama. Claims 2-6 depend ultimately from Claim 1, and at least for this reason, these claims also cannot be anticipated by or obvious over Koyama.

Claim 7 recites limitations similar to Claim 1. For the reasons discussed for Claim 1, Claim 7 also cannot be anticipated by or obvious over Koyama. Claims 8-13 depend from Claim 7, and at least for this reason, claim 13 also cannot be anticipated by or obvious over Koyama. The remaining reasons for rejection are moot.

Applicant respectfully requests withdrawal of the rejections.

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CONCLUSION

In light of the Applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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